

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office MAR 26 1980

Returned to applicant for correction

Corrected application filed Map filed DEC 4 1979 under 39881

The applicant Freeport Gold Company

c/o 421 Court Street of Elko City or Town

Nevada 89801 State and Zip Code No.

, hereby make S. application for permission to change the point of diversion of a portion & place of use

of water heretofore appropriated under 36781

(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

1. The source of water is underground Name of stream, lake or other source.

2. The amount of water to be changed 2.0 cfs. Second feet, acre feet.

3. The water to be used for Mining, milling and domestic If for stock state number and kind of animals.

4. The water heretofore used for mining, milling and domestic If for stock state number and kind of animals.

5. The water is to be diverted at the following point additional point; Lot 17 (NE1/4 NE1/4) Section 4, T.40N., R.54E., M.D.M., at a point from which the NE corner of said section bears Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated. N.5°02'E., 929 feet.

6. The existing point of diversion is located within SE1/4 NE1/4 Section 33, T.41N., R.54E., M.D.M., at a point from which the SW corner of said section bears S.53°16'W., 6494 ft. If point of diversion is not changed, do not answer.

7. Proposed place of use T.40N., R.54E., Section 4: (NE1/4 NE1/4) Lot 17 T.41N., R.54E., Describe by legal subdivisions. If for irrigation state number of acres to be irrigated. Section 33: S1/2, NW1/4, SE1/4 NE1/4, W1/2 NE1/4, and approximately six miles of ore haul road through portions of Secs. 25, 26 and 35, in T.41N., R.53E., and Secs. 29, 30, 32 and 33, in T.41N., R.54E., M.D.M.

8. Existing place of use T.41N., R.54E., Section 33: S1/2, NW1/4, W1/2 NE1/4, and Describe by legal subdivisions. If presently used for irrigation, state number of acres irrigated. SE1/4 NE1/4

9. Use will be from January 1 to December 31 of each year. Day and Month Day and Month

10. Use has been from January 1 to December 31 of each year. Day and Month Day and Month

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) drill deep well, install casing, pump and motor, with pipeline to mill site and appurtenant works State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.

12. Estimated cost of works.....\$90,000.00.....
13. Estimated time required to construct works.....One year.....
14. Estimated time required to complete the application of water to beneficial use.....Three years.....
15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Annual consumptive use from this application and 36781 will total 2,894.45 acre-feet. Applicant does not wish to change the intent of application #39881, which is for an additional quantity of water. The purpose of this application is to allow pumping from a second source until such a time as action is taken on 39881. Map filed in support of application 39881 is made a part hereof. Please send copies of notices to applicant at: Box 1132, Elko, Nevada 89801.

Compared.....lp/jk.....

Applicant.....Freeport Gold Company.....

By s/William A. Nisbet.....

William A. Nisbet, agent.....

~~421 Court Street - Elko, Nevada 89801~~.....

.....OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

- The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed.....cubic feet per second.....
- Actual construction work shall begin on or before.....
- Proof of commencement of work shall be filed before.....
- Work must be prosecuted with reasonable diligence and be completed on or before.....
- Proof of completion of work shall be filed before.....
- Application of water to beneficial use shall be made on or before.....
- Proof of the application of water to beneficial use shall be filed on or before.....
- Map in support of proof of beneficial use shall be filed on or before.....

Commencement of work filed.....IN TESTIMONY WHEREOF, I.....

Completion of work filed.....State Engineer of Nevada, have hereunto set my hand and the seal of

Proof of beneficial use filed.....my office, this.....day of.....

Cultural map filed.....

Certificate No.....Issued.....A.D. 19.....

Recorded.....Bk.....Page.....

.....OCT 22 1980.....

.....WITHDRAWN BY APPLICANT.....

.....State Engineer

2407

William J. Geerman

STATE ENGINEER